

~~EDISON ATTORNEYS AT LAW~~

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 EDWARD WAYNE DOMINGUES,)	No. C 13-4642 RMW (PR)
11 Petitioner,)	ORDER GRANTING MOTION FOR
12 vs.)	EXTENSION OF TIME TO FILE
13))	OPPOSITION; DENYING MOTION
14 RONALD J. RACKLEY, Warden,)	FOR APPOINTMENT OF COUNSEL
15 Respondent.)	(Docket Nos. 22, 23)

17 Petitioner, proceeding pro se, filed a writ of habeas corpus pursuant to 28 U.S.C. § 2254.
18 On June 5, 2014, respondent filed a motion to dismiss petitioner's habeas petition as untimely.
19 (Docket No. 21.) Petitioner has filed a motion requesting appointment of counsel and an
20 extension of time to obtain medical records that he claims will justify his delay in filing his
21 habeas petition. (Docket Nos. 22 and 23.)

22 Plaintiff's motion for appointment of counsel is **DENIED** for want of exceptional
23 circumstances. See Rand v. Rowland, 113 F.3d 1520, 1525 (9th Cir. 1997). This denial is
24 without prejudice to the court's sua sponte appointment of counsel at a future date should the
25 circumstances of this case warrant such appointment. Petitioner's motion for extension of time
26 to file an opposition to respondent's motion to dismiss is **GRANTED**. Petitioner shall file an
27 opposition **within twenty-eight days** from the filing date of this order. Respondent shall file a
28 reply **within fourteen (14) days** thereafter.

1 This order terminates docket numbers 22 and 23.
2
3 IT IS SO ORDERED.
4 DATED: FFD:CH


RONALD M. WHYTE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

EDWARD WAYNE DOMINGUES,

Case Number: CV13-04642 RMW

Plaintiff,

CERTIFICATE OF SERVICE

v.

RONALD J. RACKLEY, WARDEN,

Defendant.

/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 12, 2014, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Edward Wayne Domingues AC 9156
D5B-126
California Health Care Facility
P.O. Box 32080
Stockton, CA 95213

Dated: November 12, 2014

Richard W. Wieking, Clerk
By: Jackie Lynn Garcia, Deputy Clerk